

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86992 of 2025

Arising Out of PS. Case No.-89 Year-2025 Thana- MURAR District- Buxar

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1. Shyam Babu Son of Late Yamuna Musahar Resident of Village-Akhtiyarpur, P.S.- Udvant Nagar, District- Bhojpur
 2. Panchratan Musahar Son of Late Hari Musahar Resident of Village-Chaugain, P.S.- Murar, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 18-12-2025 Defect/s as pointed out by the office is ignored.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. The petitioners seek bail in connection with Murar P.S. Case No. 89 of 2025 instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

4. The prosecution case, in short, is that on the basis of secret information, the informant A.S.I. of Murar P.S. conducted a raid at Chaugain Musahar Toli and apprehended two accused persons from whose possession 60 litres of country-made liquor was recovered and seized.

5. Learned counsel for the petitioners submitted that



the petitioners have falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioners. Learned counsel further submitted that the names of the petitioners transpired in this case only at the instance of local *chowkidar*. The petitioners have got no concern with the alleged recovery of liquor. The petitioners are in custody since 31.10.2025 and have no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Murar P.S. Case No. 89 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) Learned court below is directed to verify the criminal antecedent of the petitioners before accepting their bail bonds. If any criminal antecedent of the petitioners is found, the present bail order shall not be given effect to.

(Rudra Prakash Mishra, J)

Alok Verma/-

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